



PATENT Customer No. 22,852 Attorney Docket No. 08790.0011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Application or:) }
John P. DONOGHUE et al.) Group Art Unit: 3763
Application No.: 10/717,924) Examiner: Not yet Assigned.
Filed: November 21, 2003))
For: AGENT DELIVERY SYSTEMS AND RELATED METHODS UNDER CONTROL OF BIOLOGICAL ELECTRICAL SIGNALS))))

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached IDS Form PTO/SB/08. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign patent documents and non-patent literatures are attached. Copies of the U.S. patents and published U.S. patent applications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached IDS Form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

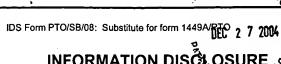
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: December 27, 2004

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Reg. No. 38,084



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INFORMATION DISCLOSURE STATEMENT BY APPEIGAMENT (Use as many sheets as necessary)

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Application Number	10/717,924			
Filing Date November 21, 2003				
First Named Inventor John P. DONOGHUE				
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Attorney Docket Number	08790.0011			

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					IONS
Examiner Initials	Cite No.1	Document Number Number-Kind Code ² (if known)	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
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STATEMENT BY APPLICANT

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Application Number

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First Named Inventor
Art Unit
3763

Examiner Name
Unassigned

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08790.0011

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Sheet

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Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶			
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